

Circular Details	21-05 / 23 April 2021 / A719010
Previous Circular	N/A
Who should read this	Companion Animals Compliance and Enforcement Officers / Pound Services Staff
Contact	Program Delivery Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

Cat management requirements for councils

What's new or changing

- Councils are reminded of their cat management responsibilities and of available companion animal and responsible pet ownership resources.

What this will mean for your council

- Councils should review their companion animals' management practices, particularly their cat management functions, to ensure they are meeting their legislative responsibilities and are performing their required functions under the *Companion Animals Act 1998* (CA Act) and the *Guideline on the Exercise of Functions under the Companion Animals Act*.

Key points

- Councils are reminded of certain requirements under the *Companion Animals Act 1998* (CA Act) in relation to the management of cats, including:
 - cats may be lawfully seized in specific circumstances and, where that is the case, the cat must be delivered to its owner, a council pound or other approved premises,
 - it is implicit from the CA Act that a council must have a pound in order for it to properly discharge the functions which the CA Act confers on it,
 - a council must accept a cat that was lawfully seized by a member of the public under the CA Act and must accept cats from approved premises in the circumstances set out in section 63A of the CA Act, and
 - Section 6A(1)(a) of the CA Act confers certain general duties on councils, including to promote awareness within its area of the requirements of the CA Act with respect to the ownership of companion animals.
- Before exercising any of its functions, a council must also take into consideration the *Guidelines on the Exercise of Functions under the Companion Animals Act* issued by the Office of Local Government. Section 6.5 of these guidelines state:
 - the provisions of section 64A of the CA Act apply to surrendered animals, and
 - council pounds should not refuse to accept surrendered animals, which are those that have come into the possession of a council pound, but have not been seized under the Act, and may include animals that have been

given up to the pound by their owners, or lost or injured animals that have been 'rescued' by the public.

- Councils receive significant ongoing revenue from the Companion Animals Fund (Fund) to undertake companion animals' functions, drawing on local registration fees for this purpose. Any money paid to a council from the Fund can only be used by the council for the management and control of companion animals in its area.
- Councils who fail to appropriately manage cats in their area can greatly contribute to local cat management issues and place an unreasonable burden on their community, neighbouring councils, rescue groups and local veterinarians.
 - Councils are also encouraged to work collaboratively with their communities and take advantage of available resources and opportunities to promote responsible pet ownership to address specific cat issues and any community concerns in their area. This could include:
 - the comprehensive package of 'Good Neighbour' resources released by the Cat Protection Society of NSW, with the support of the NSW Government, councils and other stakeholders. The material aims to support pet owners to understand the importance of confining cats to their property and provides practical advice and support. This material and some short videos are available in several different languages,
 - subsidised microchipping and desexing days in partnership with animal welfare organisations and local veterinarians,
 - shared resources with other councils to improve efficiencies and take up opportunities to improve legislative compliance or targeted education campaigns, and
 - identify and apply for grants for specific projects from sources such as the NSW Environmental Trust.

Where to go for further information

- The *Companion Animals Act 1998* is available on the NSW Government's legislation website at www.legislation.nsw.gov.au.
- The *Guideline on the Exercise of Functions under the Companion Animals Act* is available on OLG's website at www.olg.nsw.gov.au.
- Good Neighbour resources, including in several community languages, are available from the Cat Protection Society of NSW on 02 9519 7201 or at <https://catprotection.org.au>.



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